



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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AUG 20 2001

TECH CENTER 1600/2900

In re Application of Buchman et al

Serial No.: 09/524,101

Filed: March 13, 2000

For: Insect p53 Tumor Suppressor Genes  
and Proteins

Group Art Unit: 1646

Examiner: Bharati R. Dhruva

Attorney Docket No: EX00-015C

**RESPONSE TO NOTICE TO COMPLY**

Assistant Commissioner of Patents  
Washington, D.C. 20231

Dear Examiner Dhruva:

In response to the Notice to Comply mailed June 20, 2001 and in adherence with 37 CFR 1.821-1825, this response is accompanied by a diskette containing SEQ ID NOS 01-22 in computer readable form and a paper copy of the sequence information. The computer readable Sequence Listing was prepared through the use of the software program "PatentIn" provided by the Patent and Trademark Office. The sequence information recorded in computer readable form is identical to that of the written Sequence Listing submitted and introduces no new matter.

Respectfully submitted,

Dated: August 9, 2001

*Laleh Shayesteh For*  
*Reg. No. 47,937*

Jan P. Brunelle

Reg. No. 35,081

**EXELIXIS, INC.**

170 Harbor Way

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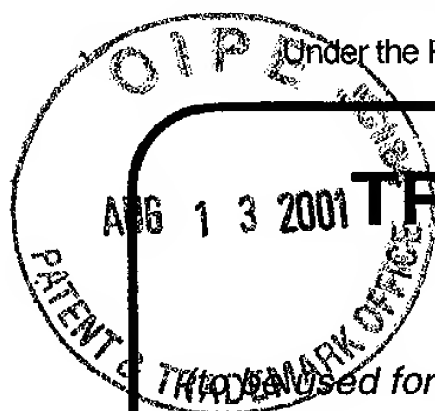
Please type a plus sign (+) inside this box → ☐

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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# TRANSMITTAL FORM

Use for all correspondence after initial filing)

Application Number 09/524,101

Filing Date March 13, 2001

First Named Inventor Buchman

Group Art Unit 1646

Examiner Name Bharati R. Dhruva

Total Number of Pages in This Submission 4

Attorney Docket Number EX00-015C

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## ENCLOSURES (check all that apply)

☒ Fee Transmittal Form

☐ Fee Attached

☒ Amendment / Response

☐ After Final

☐ Affidavits/declaration(s)

☒ Extension of Time Request

☐ Express Abandonment Request

☐ Information Disclosure Statement

☐ Certified Copy of Priority Document(s)

☐ Response to Missing Parts/ Incomplete Application

☐ Response to Missing Parts under 37 CFR 1.52 or 1.53

☐ Assignment Papers (for an Application)

☐ Drawing(s)

☐ Licensing-related Papers

☐ Petition

☐ Petition to Convert to a Provisional Application

☐ Power of Attorney, Revocation Change of Correspondence Address

☐ Terminal Disclaimer

☐ Request for Refund

☐ CD, Number of CD(s) \_\_\_\_\_

☐ After Allowance Communication to Group

☐ Appeal Communication to Board of Appeals and Interferences

☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)

☐ Proprietary Information

☐ Status Letter

☒ Other Enclosure(s) (please identify below):

return receipt postcard

Remarks

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name

Laleh Shayesteh For Jan P. Brunelle

Signature

*[Signature]*

Date

August 9, 2001

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: August 9, 2001

Typed or printed name

Shannon Dougherty

Signature

*[Signature]*

Date

August 9, 2001

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PTO/SB/17 (11-00)

# FREE TRANSMITTAL for FY 2001

AUG 13 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 55

## Complete if Known

Application Number 09/524,101

Filing Date March 13, 2001

First Named Inventor Buchman

Examiner Name Bharati R. Dhruva

Group / Art Unit 1646

Attorney Docket No. EX00-015C

RECEIVED

AUG 20 2001

TECH CENTER 1600/2900

## METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number 50-1108

Deposit Account Name Exelixis, Inc.

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17  
☒ Applicant claims small entity status. See 37 CFR 1.27

2. ☐ Payment Enclosed:

☐ Check ☐ Credit card ☐ Money Order ☐ Other

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1)

(\$ 0

### 2. EXTRA CLAIM FEES

Total Claims	-20	=	0	X		=	0
Independent Claims	-3	=	0	X		=	0
Multiple Dependent				X		=	0

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim, if not paid
109	80	209	40	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$ 0

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet.	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	55
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	130	123	130	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify)

55.00 CH

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$ 55

## SUBMITTED BY

Name (Print/Type) For Jan P. Brunelle Registration No. Attorney/Agent 47,937 Telephone 650-837-8180  
Signature Date August 9, 2001

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